

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW
250 PARK AVENUE
NEW YORK, NEW YORK 10177-1211
212.351.4500
FAX: 212.661.0989
EBGLAW.COM

JOHN HOUSTON POPE
TEL: 212.351.4641
FAX: 212.878.8741
JHPOPE@EBGLAW.COM

July 23, 2008

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VIA FACSIMILE

Hon. Kenneth M. Karas
U.S. District Judge
U.S. District Court for the
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

MEMO ENDORSED

Re: *Nieves v. Community Choice Health Plan of Westchester, Inc.*
Case No. 08 Civ. 00321 (KMK) (MDF)

Dear Judge Karas:

We represent defendants in the above-referenced matter. We write to request a brief adjournment of the pretrial conference presently scheduled for Friday, July 25, 2008, at 12 p.m. No previous request for an adjournment has been sought or received.

This application is at the request of plaintiff's counsel, Stuart Miller. He has experienced a family medical emergency this week to which he needs to attend. He contacted undersigned counsel this morning to seek consent to this application (we consent) and to request that we prepare this application.

The parties request that the conference be reset for a date on or after August 4, 2008, with the exception of the week of August 25-29, when undersigned counsel will be unavailable.

Respectfully,

John Houston Pope / AK

John Houston Pope

cc: Stuart Miller, Esq. (by fax)

*Granted. The new
conference date is September 10, 2008
at 2:30*

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So ordered.
[Signature]
7/24/08